

MARCH 27 2017

OBJECTION TO THE SETTLEMENT
Brian Warner, et al. V. Toyota Motor Sales, USA, Inc.

CENTRAL DISTRICT OF CALIFORNIA
BY: vdr DEPUTY

24th March 2017

1. Name: Francis S Capsan
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City: Venice
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Country: USA
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5. Vehicle: 2005 Toyota Tacoma SR 5 / TRD
With factory equipped Towing Package
VIN: STELU42N05Z144057

I wish to object to the proposed settlement in Brian Warner, et al. V. Toyota Motor Sales, USA, Inc.

Case No. 2:15-cv-02171-FMO-(FFMx)

Following are my reasons for this objection:

1. My vehicle has already been inspected by a Toyota dealership in Venice, FL and has been rejected for frame replacement because there were no perforations in the framework. Meanwhile the rusted metal is flaking off in chunks and staining my driveway and garage floor whenever I drive in the rain and through puddles.
2. I purchased my vehicle new in 2005 from a Toyota dealership (Orleans Toyota / Orleans, MA) on Cape Cod, Massachusetts, USA. The vehicle was used year-round on Cape Cod until I relocated permanently to Venice, FL in 2010.
3. Early on I noticed that the frame was beginning to show signs of rust and I brought it to the attention of the Cape Cod dealership. I was told that it was normal for the frame to show some rust. I told the service advisor that I wanted to go on record as having a concern about the rust. I don't know if my complaint was logged into their database. Nothing was done to arrest the rust issue at the time.
4. The truck, which was designed for towing, is fast becoming unsafe for towing any distance on the highways.
5. The so-called "Rust Perforation Standard" is a joke. My truck frame is peeling off like a water soaked piece of plywood. The frame is badly rusted and quantifying the degree of rust by specifying the size of the perforations is ducking the issue.

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6. Toyota should stop all this foot dragging and obstructive behavior, do the right thing for their customers, and their reputation, and replace all of the defective frames... not just those frames with perforations.

I do not intend on appearing at the Fairness Hearing scheduled in April before the Court. But I do hope that my letter of objection will be added to the protest against Toyota ducking this issue.

Thank you to those who have begun this class action lawsuit against Toyota Motor Sales and to the attorneys who are taking this issue to court.

Very truly yours



Francis S Capsan

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